

U.S. DISTRICT COURT
DISTRICT OF VERMONT
FILED

UNITED STATES DISTRICT COURT

FOR THE
DISTRICT OF VERMONT

2014 APR 28 AM 11:24

CLERK
BY *RC* DEPUTY CLERK

LAURIE WILLIAMS,)
)
Plaintiff,)
)
v.) Case No. 5:13-cv-180
)
CAROLYN W. COLVIN,)
Acting Commissioner of Social Security,)
)
Defendant.)

**OPINION AND ORDER ADOPTING MAGISTRATE JUDGE'S
REPORT AND RECOMMENDATION**

(Docs. 8, 11 & 13)

This matter came before the court for a review of the Magistrate Judge's March 31, 2014 Report and Recommendation ("R & R"). Plaintiff has filed a motion to reverse the decision of the Commissioner. (Doc. 8.) Defendant opposes the motion and has filed a motion for order affirming the decision of the Commissioner. (Doc. 11.) Neither party has objected to the R & R, and the deadline for doing so has expired.

A district judge must make a *de novo* determination of those portions of a magistrate judge's report and recommendation to which an objection is made. Fed. R. Civ. P. 72(b); 28 U.S.C. § 636(b)(1); *Cullen v. United States*, 194 F.3d 401, 405 (2d Cir. 1999). The district judge may "accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." 28 U.S.C. § 636(b)(1); *accord Cullen*, 194 F.3d at 405. A district judge, however, is not required to review the factual or legal conclusions of the magistrate judge as to those portions of a report and recommendation to which no objections are addressed. *Thomas v. Arn*, 474 U.S. 140, 150 (1985). When no timely objection is filed, the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation. *See*

Campbell v. United States Dist. Court, 501 F.2d 196, 206 (9th Cir. 1974), *cert. denied*, 419 U.S. 879 (1974).

In his twenty-six page R & R, the Magistrate Judge carefully reviewed the factual record and the motions before the court and determined that among other things, the Administrative Law Judge (“ALJ”) did not err in his partially favorable determination that Plaintiff became disabled on February 3, 2013, but was not disabled before that date. The Magistrate Judge recommends that the court deny Plaintiff’s motion for order reversing the decision of the Commissioner and grant Defendant’s motion for order affirming the decision of the Commissioner. Neither party has objected to the Magistrate Judge’s recommendations which the court finds well-reasoned.

For the foregoing reasons, the court hereby ADOPTS the Magistrate Judge’s R & R as the court’s Opinion and Order, and DENIES Plaintiff’s motion to reverse decision of the Commissioner (Doc. 8), and GRANTS the Defendant’s motion for order affirming the decision of the Commissioner (Doc. 11).

SO ORDERED.

Dated at Rutland, in the District of Vermont, this 28th day of April, 2014.



Christina Reiss, Chief Judge
United States District Court